

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GEORGE J. SANDERS, JR.,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:09-cv-771-MEF
)	
M. P. MYRICK, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On April 8, 2013, the Magistrate Judge filed a Recommendation (Doc. #125) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The Motion for Summary Judgment with respect to the claims of excessive force against Officers Bascomb and Douglas is DENIED.
3. The Motion for Summary Judgment with respect to the remaining claims is GRANTED in favor of the defendants.
4. Magistrate Ferguson, Former City of Montgomery Police Chief Baylor, and Officers Thornell, Wilson, Myrick, Wingard, and Barnett are DISMISSED as defendants in this case.

5. This case will be set for a jury trial on the plaintiff's claim of excessive force lodged against Officers Bascomb and Douglas.

DONE this the 15th day of May, 2013.

/s/ Mark E. Fuller
UNITED STATES DISTRICT JUDGE